

*filed
in open
court
4/26/04*

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

Criminal No. 03-CR-10362 (PBS)

CHRISTOPHER SUGAR,
SEAN D. STARK,
TREVOR ROYCE TEAGUE,
ANIBAL TORRES,
a/k/a PACE; and
FABIAN A. RUIZ,

Defendants.

FINAL STATUS CONFERENCE REPORT

The parties in the above-entitled criminal matter, the United States of America (the "government") and the defendants, hereby submit this Final Status Conference Report, pursuant to Local Rule 116.5(C) (1) - (8).

1. Whether there are outstanding discovery issues not yet presented or resolved by the Court.

No. All Rule 16 and automatic discovery materials have been provided to defendants' counsel or made available for counsels' review to date. There are no outstanding discovery issues that need to be resolved by the Court.

2. Whether a party anticipates providing additional discovery as a result of its future receipt of information, documents, or reports of examinations or tests.

The government anticipates that, unless there is a stipulation regarding the controlled substances involved in this case, it will offer expert testimony regarding the marijuana, as set forth in the indictment, which was seized from defendants Sugar and Stark on October 22, 2003 and then delivered to

defendants Ruiz, Torres and Teague on October 24, 2003. The government will disclose any expert materials no later than 30 days before trial. The defendants will disclose any expert materials no later than 14 days before trial.

3. Whether defendants intends to raise a defense of insanity or public authority.

No.

4. Whether the government has requested notice of alibi by the defendant and, if so, whether the defendant has timely responded.

The government did request notice of alibi but the defendants have yet to respond.

5. Whether the defendants have filed, or intend to file, any motion to sever, dismiss, or suppress, or any other motion requiring a ruling by the District Court before trial.

Yes, defendants Sugar and Stark have filed motions to suppress and the government has filed its opposition. A hearing date has already been set for May 18, 2004.

6. Whether a schedule should be set concerning any matter in the case other than trial.

Currently, only a trial date should be set.

7. Whether the parties have discussed the possibility of an early resolution of the case without a trial and if so, the results of that discussion.

The parties have unsuccessfully discussed the possibility of an early resolution of the case without a trial. Therefore, a trial date should be set.

8. Whether there are periods of excludable delay under the Speedy Trial Act as to which the parties agree, and what they are, and whether there are any disagreements, and what they are, to enable the Magistrate Judge to rule on periods of excludable delay at the Final Status Conference.

5. Speedy Trial Act Calculations

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and jointly submit that the following periods are excludable:

12/12/03-1/19/04 Automatic Discovery period/Interests of Justice.

1/20/04-1/21/04 Two days counted.

1/22/04-4/26/04 Court order/Interests of Justice.


As of the Final Status Conference, 2 days will have been counted and 68 days will remain under the Speedy Trial Act.

9. The estimated length of trial.


5 Days.

Respectfully submitted,
MICHAEL J. SULLIVAN
UNITED STATES ATTORNEY

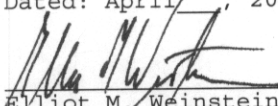
By:


CYNTHIA W. LIE
Assistant U.S. Attorney
One Courthouse Way
Boston, MA
(617) 748-3183

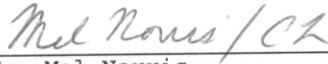
Dated: April 25, 2004


Mr. Mark Shea
Attorney at Law
47 3rd Street
Cambridge, MA 02141


Dated: April __, 2004


Elliot M. Weinstein
228 Lewis Wharf
Boston, MA 02110

Dated: April __, 2004


Mr. Mel Norris
Attorney at Law
260 Boston Post Road
Wayland, MA 01778

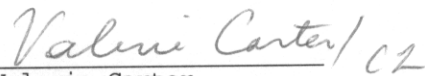
Dated: April __, 2004


Syrie Fried
Federal Defender
408 Atlantic Ave
Boston, MA 02210

Dated: April __, 2004

Consent via phone 4/25/04

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Valerie Carter
Carter & Doyle, LLP
530 Atlantic Avenue, 3rd Floor
Boston, MA 02210

Dated: April __, 2004

Consented via phone message 4/25/04